

AO 91 (Rev. 11/11) Criminal Complaint

FILED

July 22, 2024

UNITED STATES DISTRICT COURTCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

for the

Western District of Texas

BY: Myrna Gallegos
DEPUTY

United States of America)

v.)

Omar AGUIRRE MARCIAL)

Case No.

EP-24-MJ-3104-ATBDefendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 19, 2024 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

Title 21 USC 841 (a) (1)

Knowingly, intentionally and unlawfully; manufacture, or distribute, or dispense or possess with intent to manufacture, distribute, or dispense a controlled substance; to wit, approximately 22.0 kilograms (gross weight) of crystal methamphetamine a Schedule II controlled substance.

Title 21 USC 846

Conspiracy to possess with intent to distribute a controlled substance.

This criminal complaint is based on these facts:

See Affidavit

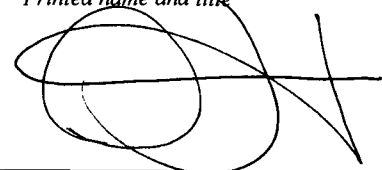
☒ Continued on the attached sheet.Sergio Enriquez

Complainant's signature

Sergio Enriquez, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/22/2024City and state: El Paso, Texas

Judge's signature

Anne T. Berton, U.S. Magistrate Judge

Printed name and title

Complaint sworn to telephonically on
July 22, 2024 at 1:12 PM and signed
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

FACTS

On April of 2024, Strike Force 1 (SF1) comprised of the Drug Enforcement Administration (DEA) and Homeland Security Investigations (HSI) Special Agents (SA) received a tip from a source of information regarding an individual by the name of Omar AGUIRRE MARCIAL, hereinafter referred to as AGUIRRE MARCIAL. The tip indicated that AGUIRRE MARCIAL was offering to sell narcotics, specifically crystal methamphetamine and cocaine, at bars located in El Paso, Texas. SF1 agents then initiated an investigation on Omar AGUIRRE MARCIAL.

SF1 agents identified AGUIRRE MARCIAL using law enforcement databases. SF1 agents discovered that AGUIRRE MARCIAL was deported in 2019 for conspiracy to enter, transport, or harbor aliens and was illegally residing in the United States due to his Visa being revoked. Upon information obtained from an active HSI investigation, SF1 agents were notified that AGUIRRE MARCIAL was potentially in illegal possession of a firearm(s).

On July 19, 2024, SF1 agents received another tip regarding AGUIRRE MARCIAL possessing crystal methamphetamine inside of his vehicle, a 2014 Buick Verano bearing Texas license plates RZN-2746. Upon a law enforcement database search query, SF1 agents discovered that the registration on the Buick Verano had expired since September of 2023. On the same date, SF1 agents attempted to detain AGUIRRE MARCIAL outside of his workplace, located at 6989 Commerce Ave., El Paso, Texas. Upon SF1 agents identifying themselves, AGUIRRE MARCIAL attempted to flee on foot. SF1 agents eventually detained AGUIRRE MARCIAL and transported him, as well as the Buick Verano, to HSI Special Agent in Charge (SAC) Office to interview him.

At approximately 1:04 p.m. AGUIRRE MARCIAL granted SF1 agents consent to search his Buick Verano, a Black Chevrolet Impala (Chihuahua, Mexico license plates: EPC140B), the two cellular telephones in his possession, and his residence located at 6851 Ridge Top Dr., El Paso, TX 79904. Prior to SF1 agents physically inspecting the Buick Verano, a non-intrusive canine sniff of the vehicle was performed. The canine sniff resulted in a positive alert for the presence of odors emanating from narcotics and/or narcotics residue in the trunk area of the Buick Verano. Upon a physical inspection of the vehicle, SF1 agents discovered 11 bundles of crystal methamphetamine, weighting approximately 11 kilograms, concealed inside of a brown duffle bag in the trunk and a firearm in the center console of the Buick Verano. Upon a search performed on AGUIRRE MARCIAL's residence, SF1 agents discovered an additional 11 bundles of crystal methamphetamine, weighing approximately 11 kilograms. SF1 agents also discovered small plastic baggies that contained cocaine and other drug paraphernalia.

SF1 agents then read AGUIRRE MARCIAL's Miranda Rights in Spanish. AGUIRRE MARCIAL stated he understood and agreed to speak to SF1 agents without the presence of an attorney.

AGUIRRE MARCIAL confessed to attempting to sell the 22 bundles of crystal methamphetamine for \$2,500.00 United States Currency (USC) each. AGUIRRE MARCIAL confessed to SF1 agents that he was to receive \$11,000.00 USC for the sale of the crystal methamphetamine. AGUIRRE MARCIAL confessed to SF1 agents that he was illegally in the United States and was working under a counterfeit Mexican identification. When SF1 agents confronted AGUIRRE MARCIAL regarding the firearm discovered in his Buick Verano, AGUIRRE MARCIAL claimed ownership of it.